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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| -----X | | |
| EGA AMERICA INC., | : | |
| | : | |
| Plaintiff, | : | |
| -against- | : | |
| | : | 21-cv-4451 (VEC) |
| ACCESS WORLD (USA) LLC, SPARTAN | : | |
| LOGISTICS SERVICE, LLC AND | : | <u>ORDER</u> |
| STATE2STATE TRUCKING, | : | |
| | : | |
| Defendants. | : | |
| -----X | | |

VALERIE CAPRONI, United States District Judge:

WHEREAS on August 11, 2021, Plaintiff and Defendant Access World (USA) LLC (“Access World”) stipulated to the dismissal with prejudice of the case against Access World, Dkt. 22;

WHEREAS on August 27, 2021, Plaintiff and Defendant Spartan Logistics Service, LLC (“Spartan”) filed a proposed stipulation and order pursuant to 28 U.S.C. § 1404(a) seeking to transfer this matter to the U.S. District Court for the Northern District of Illinois, Dkt. 26;

WHEREAS on August 27, 2021, the Court denied Plaintiff and Spartan’s application to transfer the case without prejudice, Dkt. 27;

WHEREAS the Court highlighted that although the proposed stipulation and order stated that “Defendants shall waive any defenses based upon jurisdiction or venue,” Defendant State2State Trucking had not appeared in this matter and was not a signatory to the stipulation, *id.*

WHEREAS the Court further noted that counsel for Spartan had not filed a notice of appearance in this case, despite being a signatory to the proposed stipulation and order, *id.*;

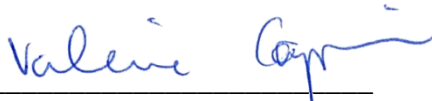
WHEREAS the Court informed Plaintiff and Spartan that after Spartan filed a notice of appearance in this case, Plaintiff and Spartan were welcome to refile a proposed stipulation and order transferring the case, as long as any waivers were limited to Spartan, *id.*; and

WHEREAS no party has made any applications since the Court's order;

IT IS HEREBY ORDERED that the parties must file either a proposed stipulation and order transferring the case that cures the deficiencies highlighted in the Court's endorsement or a joint status update by no later than **Friday, October 1, 2021**.

SO ORDERED.

Date: September 18, 2021
New York, New York



VALERIE CAPRONI
United States District Judge